

MESSAGE NO: 0314304

MESSAGE DATE: 11/10/2010

MESSAGE STATUS: Active

CATEGORY: Antidumping

TYPE: LIQ-Liquidation PUBLIC ☒

NON-PUBLIC ☐

SUB-TYPE: OUTSCO-Out of Scope

FR CITE:

FR CITE DATE:

REFERENCE
MESSAGE #
(s):

CASE #(s): A-475-201

EFFECTIVE DATE: 10/21/2010

COURT CASE #:

PERIOD OF REVIEW:

TO

PERIOD COVERED:

TO

TO: { Directors Of Field Operations, Port Directors }

FROM: { Director AD/CVD & Revenue Policy & Programs }

RE: ANTIDUMPING SCOPE RULING RE CATERPILLAR INC.'S TURNTABLE SLEWING RINGS FOR AD ORDER ON BALL BEARINGS AND PARTS THEREOF FROM ITALY (A-475-201)

1. COMMERCE RECEIVED A SCOPE RULING REQUEST FROM CATERPILLAR, INC. COMMERCE ISSUED A FINAL SCOPE RULING ON 10/21/2010 THAT TURNTABLE SLEWING RINGS (PART NUMBERS 1855622 AND 1885072) USED IN HYDRAULIC EXCAVATORS (SLEWING RINGS) AND MANUFACTURED BY SKF RIV-SKF OFFICINE DI VILLAR PEROSA S.P.A., SKF INDUSTRIE S.P.A., OMVP S.P.A., OR SOMECAT S.P.A. (COLLECTIVELY SKF ITALY) ARE NOT WITHIN THE SCOPE OF THE ANTIDUMPING DUTY ORDER ON BALL BEARINGS AND PARTS THEREOF FROM ITALY (A-475-201).

2. COMMERCE DETERMINED THAT THE SLEWING RINGS DESCRIBED ABOVE ARE OUTSIDE THE SCOPE OF THE ORDER ON BALL BEARINGS AND PARTS THEREOF FROM ITALY BECAUSE THEY HAVE DISTINCT FUNCTIONS FROM CONVENTIONAL BALL BEARINGS SUBJECT TO THE ORDER AND BECAUSE SLEWING RINGS HAVE BEEN FOUND TO BE OUTSIDE THE SCOPE OF THE ORDER IN PRIOR SCOPE DETERMINATIONS. THEREFORE, THE MERCHANDISE DESCRIBED ABOVE IS NOT WITHIN THE SCOPE OF THE ANTIDUMPING DUTY ORDER ON BALL BEARINGS AND PARTS THEREOF FROM ITALY.

3. EFFECTIVE 11/09/1988, TERMINATE SUSPENSION AND LIQUIDATE ALL UNLIQUIDATED ENTRIES ENTERED, OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION OF SLEWING RINGS WITH PART NUMBERS 1855622 AND 1885072.

4. REFUND ANY CASH DEPOSITS WITH INTEREST AND RELEASE ANY BONDS RELATING TO THE MODELS OF SLEWING RINGS DESCRIBED ABOVE.

5. THESE INSTRUCTIONS CONSTITUTE THE NOTICE OF THE LIFTING OF SUSPENSION OF LIQUIDATION OF ENTRIES OF THE SLEWING RINGS DESCRIBED ABOVE WHICH WERE ENTERED, OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION ON OR AFTER 11/09/1988.

6. THE ASSESSMENT OF ANTIDUMPING DUTIES BY CBP ON SHIPMENTS OR ENTRIES OF THIS MERCHANDISE IS SUBJECT TO THE PROVISIONS OF SECTION 778 OF THE TARIFF ACT OF 1930. SECTION 778 REQUIRES THAT CBP PAY INTEREST ON OVERPAYMENTS OR ASSESS INTEREST ON UNDERPAYMENTS OF THE REQUIRED AMOUNTS DEPOSITED AS ESTIMATED ANTIDUMPING DUTIES. THE INTEREST PROVISIONS ARE NOT APPLICABLE TO CASH OR BONDS POSTED AS ESTIMATED ANTIDUMPING DUTIES BEFORE THE DATE OF PUBLICATION OF THE ANTIDUMPING DUTY ORDER. INTEREST SHALL BE CALCULATED FROM THE DATE PAYMENT OF ESTIMATED ANTIDUMPING DUTIES IS REQUIRED THROUGH THE DATE OF LIQUIDATION. THE RATE AT WHICH SUCH INTEREST IS PAYABLE IS THE RATE IN EFFECT UNDER SECTION 6621 OF THE INTERNAL REVENUE CODE OF 1954 FOR SUCH PERIOD.

7. FOR ALL OTHER SHIPMENTS OF BALL BEARINGS AND PARTS THEREOF FROM ITALY NOT COVERED BY PARAGRAPH #3 ABOVE, YOU SHALL, UNLESS OTHERWISE INSTRUCTED, CONTINUE TO COLLECT CASH DEPOSITS OF ESTIMATED ANTIDUMPING DUTIES FOR THE MERCHANDISE AT THE CURRENT RATES.

8. IF THERE ARE ANY QUESTIONS REGARDING THIS MATTER BY CBP OFFICERS, THE IMPORTING PUBLIC OR INTERESTED PARTIES, PLEASE CONTACT DAVINA HASHMI OR RON TRENTAM AT THE OFFICE OF AD/CVD OPERATIONS, IMPORT ADMINISTRATION, INTERNATIONAL TRADE ADMINISTRATION, U.S. DEPARTMENT OF COMMERCE, AT (202) 482-0984 OR (202) 482-3577 RESPECTIVELY (GENERATED BY O5:SS).

9. THERE ARE NO RESTRICTIONS ON THE RELEASE OF THIS INFORMATION.

MICHAEL B. WALSH

Company Details

*Party Indicator Value:

I = Importer, M = Manufacturer, E = Exporter, S = Sold To Party